

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 140 OF 2021

Sudarshan Baburao Saka & Ors.

.. Applicants

Versus

The State of Maharashtra & Another

.. Respondents

.....
Mr. P.C. Sarda for the applicants

Mr. Pramod S. Kumbhar for the respondent no.2

Ms. M.H. Mhatre, APP for respondent no.1 – State

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**CORAM : PRASANNA B. VARALE &
G.A. SANAP, JJ.**

Date : March 25, 2022.

P. C. :

1. Heard the learned Advocate for the applicants, learned APP for the State and the learned Advocate for the respondent no.2 – informant.
2. The respondent no.2 - informant is present via Video Conferencing. She confirms the facts stated in the affidavit filed in support of the application. They pray for quashing of the FIR by consent.
3. The Crime bearing No. 303 of 2018 came to be registered on the

report lodged by the respondent no.2 for the offences punishable under Section 404, 406, 120B, 408, 420, 467, 468, 471 r/w Section 34 of the Indian Procedure Code against the applicants / accused. It is the case of the respondent no.2 that the applicants have fabricated the documents and misused the same. This act of the applicants caused wrongful loss to the respondent no.2 and secured wrongful gain to the applicants. On the basis of this, crime as above came to be registered at Fouzdar Chawdi Police Station, Solapur.

4. The parties have now settled their dispute. It is stated that the FIR came to be lodged due to the dispute arising out of the business transaction. The respondent no.2 has filed the affidavit dated 10th March, 2021 and stated the relevant facts. Respondent no.2 has stated that the dispute stands redressed in view of the fact that the applicants are ready to pay the outstanding amount payable by them out of the business transaction. On going through the record, we are of the opinion that the offences alleged to have been committed by the applicants cannot be said to have any impact on the society at large and the parties have amicably settled their dispute. In view of this, we accept the settlement arrived at between the parties.

5. The application is accordingly allowed in terms of prayer clause (b).
6. The FIR No. 303 of 2018 registered at Fouzdar Chawdi Police Station, Solapur for the offences punishable under Sections 404, 406, 120B, 408, 420, 467, 468, 471 r/w Section 34 of the Indian Procedure Code is quashed and set aside.
7. In the peculiar facts of the case, the applicants are directed to pay cost of Rs.5,000/- each. The cost shall be deposited in the Police Welfare Fund Account, Superintendent of Police, Solapur Commissionerate within two weeks from today.

[G.A. Sanap, J.]

[Prasanna B. Varale, J.]